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8 **IN THE UNITED STATES DISTRICT COURT**  
9 **FOR THE EASTERN DISTRICT OF CALIFORNIA**  
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11 PAUL A. WESBECHER,

No. CIV S-04-0807-FCD-CMK

12 Petitioner,

13 vs.

ORDER

14 DANIEL FOY,

15 Respondent.  
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17 Petitioner, is proceeding pro se and in forma pauperis in this petition for a writ of  
18 habeas corpus, filed pursuant to 28 U.S.C. § 2254. On September 9, 2005, the court granted  
19 respondent's request to suspend briefing. The September 9, 2005, order also required petitioner  
20 to file a status report within 30 days. A review of the docket reflects that, on September 27, 2005,  
21 petitioner filed a notice of change of address. In the interest of justice, the court will direct that  
22 the September 9, 2005, order be re-served to petitioner at his new address. Petitioner will be  
23 granted additional time within which to submit a status report. Petitioner is warned that failure to  
24 comply with this order may result in the dismissal of this action for failure to prosecute and  
25 follow court orders and rules.

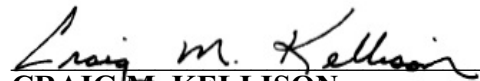
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1 Accordingly, IT IS HEREBY ORDERED that:

2 1. The Clerk of the Court is directed to re-serve the court's September 9,  
3 2005, order on petitioner at his current address of record; and

4 2. Within 30 days of the date of service of this order, petitioner shall file a  
5 status report, in writing, setting forth the status of the related state court matter, and also  
6 informing the court whether petitioner desires to abandon any claims currently presented in his  
7 federal habeas petition.

8 DATED: October 19, 2005.

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11 **CRAIG M. KELLISON**  
12 UNITED STATES MAGISTRATE JUDGE  
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